

**City of Reading City Council
Regular Business Meeting
Monday, February 28, 2011**

Vaughn D. Spencer, President of Council, called the meeting to order.

The invocation was given by Reverend Robert Brookins from the Holy Trinity Church of God.

All present pledged to the flag.

ATTENDANCE

Council President Spencer
Councilor Acosta, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Sterner, District 3
Councilor Marmarou, District 4
Councilor Reed, District 5
Councilor Waltman, District 6
Mayor T. McMahon
Managing Director C. Geffken
Mayor's Assistant F. Denbowski
City Clerk L. Kelleher
City Solicitor C. Younger
Sergeant at Arms Captain R. Schafer

PROCLAMATIONS AND PRESENTATIONS

City Council issued the following commendations:

- Recognizing Dominican Independence Day, accepted by Rev. Felipe Faña, Gabrielina Polanco, Sunilda Tejada, Elvin Gutierrez, Rafael Ferreiras, Edison Matias, Omar Fana, Waldo Robles, and Margarito Carlos De Leon

PUBLIC COMMENT

Council President Spencer announced that two (2) citizens were registered to address Council, one (1) on agenda matters and the other on non-agenda topics. He inquired if any member of Council objected to suspending the rule requiring non-agenda comment at the end of the meeting. As no one objected the rule requiring non-agenda comment at the end of the meeting was suspended. Council President Spencer reminded those registered to speak of the remaining public speaking rules.

Steven Burgoon, of Boyertown, asked Council to support his City business as they consider the Award of Contract for Police Uniforms. He expressed the belief that the City needs to support resident businesses, as they will assist the City in improving its financial stability. He stated that he was outraged at the position taken by the Administration during the bidding process. He expressed the belief that his bid was the low bid when considering the expense of fitting on-duty Police Officers.

Randy Gaston, of Exeter, submitted his comments in writing and described the background the East Ends Athletic Association and Engleman's Park Association have supporting youth baseball at Engelman's and Rotary Park. He asked Council to consider this long-term relationship as they reconstruct the lease agreement.

APPROVAL OF THE AGENDA & MINUTES

Council President Spencer called Council's attention to the minutes from the February 14th Regular Meeting of Council and the agenda prepared for this meeting, including the legislation listed under the Consent Agenda heading. He requested that the Award of Contract for Police Uniforms be considered separately.

Consent Agenda Legislation

Resolution 41-2011 The Reading School District is relieved and granted a waiver of/from the requirements of posting a bond or surety pursuant to Chapter 22 Subdivision and Land Development Ordinance Section 309 Performance / Maintenance Guarantees (§22-309) of the City of Reading Codified Ordinance for development of through additions and renovations of Amanda Stoudt Elementary School with an address of 301 South 10th Street (and 1035-1061 and 1034-1060 of the vacated Benners Court, Reading, Berks County, Pennsylvania per the plan approved by the City of Reading Planning Commission on January 25, 2011, by Resolution #2-2011, and any reaffirmation thereof. Provided, that the Reading School District shall execute a Municipalities Improvements Agreement in a form prepared and provided by the City of Reading wherein they guarantee without the need to post any surety performance of the requisite municipal improvements for development and construction of the aforesaid project and site **(Law)**

Resolution 42-2011 That the Solicitor for the City of Reading or his designee is hereby authorized and directed to take all necessary and appropriate action required for the City of Reading to intervene in the matter of In Re Appeal of Freedom Gate Ministries, Inc from the Decision of the Zoning Hearing Board of the City of Reading Dated January 12, 2011, Docket No. 11-2334, an appeal of the January 12, 2011 Decision of the Zoning Hearing for the City of Reading in Appeal 2010-48 granting with conditions the application for a non-conforming use of a group home at 132 South Ninth Street, Reading, Pennsylvania. Said intervention shall be in support of the Decision of the City of Reading Zoning Hearing Board. The Solicitor for the

City of Reading of his designee is hereby further directed and authorized to take all necessary action to represent the interest of the City of Reading as an intervening party in the aforesaid legal action including any appeals of this matter to an appellate court of the Commonwealth of Pennsylvania **(Law)**

Resolution 43-2011 That the Solicitor for the City of Reading or his designee is hereby authorized and directed to take all necessary and appropriate action required for the City of Reading to intervene in the matter of Orange Stones v. City of Reading Zoning Hearing Board, Docket No. 11-2401 an appeal of the January 12, 2011 Decision of the Zoning Hearing for the City of Reading in Appeal 2008-46 denying the application for a non-conforming use at 1711 Hampden Boulevard, Reading, Pennsylvania. Said intervention shall be in support of the Decision of the City of Reading Zoning Hearing Board. The Solicitor for the City of Reading of his designee is hereby further directed and authorized to take all necessary action to represent the interest of the City of Reading as an intervening party in the aforesaid legal action including any appeals of this matter to an appellate court of the Commonwealth of Pennsylvania **(Law)** – *Copy of appeal available in hard copy only*

Councilor Sterner moved, seconded by Councilor Marmarou, to approve the minutes from the February 14th regular meetings of Council and the agenda for this evening's meeting including the legislation listed under the Consent Agenda heading as amended. The motion was approved unanimously

Award of Contract – to Hess Embroidery, 513 Reading Avenue, West Reading, PA 19611, who is the low bidder, at a total bid price of \$195,742.50 for police uniforms **(Purchasing)**
Tabled at the Jan 24 regular meeting

Councilor Acosta moved, seconded by Councilor Reed, to approve the Award of Contract to Hess Embroidery.

Council President Spencer expressed concern that the City is taking away it's support for a City business.

Managing Director Geffken explained the process that included three (3) bids received.

The award of contract to Hess Embroidery was approved by the following vote:

Yeas: Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman – 5

Nays: Acosta, Spencer, President – 2 .

ADMINISTRATIVE REPORT

Mayor McMahon read the report distributed to Council at the meeting covering the

following:

- Thanks to the Poverty Commission for developing the Rebuilding Report
- Thanks to John Kromer and Eric Weiss, as they work to draft the Economic Development Housing Strategies
- Thanks for the City Auditor for his assistance on reinstituting the PILOT

Mayor's Assistant Frank Denbowski described the initiative to form a study group to explore the formation of a Recreation Commission. He highlighted the issues currently under consideration with assistance from Sue Landes, the Director of the Lancaster Recreation Commission.

Councilor Waltman congratulated all involved in the study on that initiative as that approach could assist the City in growing its Recreational Program.

Councilor Goodman-Hinnershitz noted the strong partnership with the School District and stated that she is pleased with the progress to date.

Councilor Sterner agreed with this forward step to form a Recreation Commission, as it will improve recreation opportunities in the City.

Councilor Acosta suggested that the Recreation Commission membership be expanded to have representation from each Council District to include City-wide representation.

AUDITOR'S REPORT

City Auditor Cituk read the report distributed to Council at the meeting covering the following:

- 2011 Admission's Tax Collection
- Real Estate Transfer Tax Collection
- Traffic Fines Collection
- Update on Future Report

Councilor Marmarou inquired how many non profit agencies currently are eligible for the PILOT program. City Auditor Cituk replied that there are approximately 900 non-profit organizations in Reading, including government and school organizations.

ORDINANCES FOR FINAL PASSAGE

Bill No. 3-2011 - ordering an investigation under the authority of the Home Rule Charter Section 210, regarding the use of sewer funds (**Council Members**)

Councilor Reed moved, seconded by Councilor Marmarou, to table Bill No. 3-2011.

Bill No. 3-2011 was tabled by the following vote:

**Yeas: Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer,
President – 6**

Nays: Acosta – 1.

Bill No. 10-2011 - amending the City of Reading Codified Ordinances Chapter 1 Administration, Part 5 Boards Departments Commissions Committees and Councils, Section E Citizens Advisory Board (CAB) to specify the appointments and term expiration **(Law)**

Councilor Acosta moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 10-2011.

Council President Spencer stated that the Citizen's Advisory Board was required by the Act 47 Recovery Plan. He stated that this ordinance amends the Board, that is already on the City's books.

Bill No. 10-2011 was enacted by the following vote:

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer,
President – 7**

Nays: None– 0.

Bill No. 11-2011 - amending the Quality of Life Violation Ticket Process by amending Chapter 5 – Code Enforcement of the City of Reading Codified Ordinances Part 14 by adding Sections 112 Collections and 113 Liens and renumbering Sections 112 and 113 to 114 and 115 Nonexclusive Remedies and Severability **(Law)**

Councilor Acosta moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 11-2011.

Council President Spencer explained that this amendment will provide the City with collection procedures for the fines associated with the Quality of Life Ticketing.

Councilor Goodman-Hinnershitz suggested that the Administration provide quarterly reports on the Quality of Life Ticketing implementation and status.

Bill No. 11-2011 was enacted by the following vote:

Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer,

President – 7

Nays: None– 0.

Bill No. 12-2011 - amending the Salary Range Ordinance by creating the salary range for the Director of Administrative Services and amending the salary range of the Fire and Rescue Services Chief and the salary range of the Police Chief **(Man Dir)**

Councilor Acosta moved, seconded by Councilor Reed, to enact Bill No. 12-2011.

Bill No. 12-2011 was enacted by the following vote:

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer,
President – 7**

Nays: None– 0.

Bill No. 13-2011 - setting the salary of the Director of Administrative Services **(Man Dir)**

Councilor Acosta moved, seconded by Councilor Marmarou, to enact Bill No. 13-2011.

Managing Director Geffken stated that Mr. Nagel is the most qualified candidate and will assist in the rebuilding of the Finance Division.

Bill No. 13-2011 was enacted by the following vote:

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer,
President – 7**

Nays: None– 0.

Bill No. 14-2011 - amending the City of Reading Organizational Chart as follows: Transferring the Property Maintenance Division from the Police Department to the Department of Community Development **(Man Dir)**

Councilor Acosta moved, seconded by Councilor Reed, to enact Bill No. 14-2011.

Bill No. 14-2011 was enacted by the following vote:

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer,
President – 7**

Nays: None– 0.

INTRODUCTION OF NEW ORDINANCES

Council President Spencer read the following ordinance into the record:

A. Ordinance – changing the topographical map of the City of Reading to reflect the street name change from Avenue A to Senator O’Pake Avenue **(Council Staff/Law)**

RESOLUTIONS

Resolution 44-2011 - approving the Tax Collection Agreement between the City of Reading and the County of Berks (Solicitor)

Councilor Goodman-Hinnershitz moved, seconded by Councilor Acosta, to adopt Resolution No. 44-2011.

Resolution No. 44-2011 was adopted by the following vote:

Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer, President – 7

Nays: None– 0.

Resolution 45-2011 – confirming the appointment of John Nagel as Administrative Services Director of the City of Reading (Man Dir.)

Councilor Reed moved, seconded by Councilor Acosta, to adopt Resolution No. 45-2011.

Resolution No. 45-2011 was adopted by the following vote:

Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer, President – 7

Nays: None– 0.

COUNCIL COMMENT

Councilor Marmarou announced that the tour of the proposed Heights Historic District, scheduled for tomorrow, has been postponed and the announcement of the new date will be announced as soon as it is known.

Councilor Goodman-Hinnershitz noted the work of the Council Public Works Committee to review the agreements with organizations who use and lease the City’s facilities.

Councilor Goodman-Hinnershitz described the February 24th town meeting held in District 2 about the future of Pandora Park.

Councilor Reed expressed her belief in the need for a public meeting regarding the change in the name of Avenue A in the Glenside Housing Development, to honor the late Senator Michael A. Opake. She expressed her belief that the renaming of the entire complex would be more appropriate.

Councilor Reed noted that the Armed Forces Day parade moved from the City due to the City's inability to continue to fund this event. She inquired about the City's ability to support the Memorial Day and Labor Day parades.

Councilor Sterner congratulated the Dominican community as they celebrate their Independence Day.

Mayor McMahon agreed with the need to find a more appropriate and less expensive way of honoring the Memorial Day holiday.

Councilor Waltman wished the RHS Boys Basketball team good luck in their game tomorrow at Hershey. He noted the continued sportsmanship of the RHS Boys Basketball team.

Councilor Acosta noted his agreement with the further exploration of those organizations that lease and use the City's facilities.

Council President Spencer questioned the Administration's recommendation to Award of Contract to a business that moved out of the City, while denying a City-based business. He suggested that in the future a more measured approach be used.

Council President Spencer expressed concern with the inability of the County Treasurer's Office to accept partial property tax payments and properly undertake collection activities that assist the City's cash flow.

Council President Spencer expressed his belief in the qualifications of the new Administrative Services Director but questioned the salary recommended.

Council President Spencer reviewed the Council meeting schedule.

Councilor Acosta moved, seconded by Councilor Marmarou, to adjourn the regular meeting of Council.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk